

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

REBECCA SUMMERS

Plaintiff

vs.

KEEBLER COMPANY, et al.

Defendants

: CASE NO. C-1-02-368

:

: JUDGE SUSAN J. DLOTT

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: AFFIDAVIT OF REBECCA

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STATE OF OHIO, COUNTY OF HAMILTON, SS:

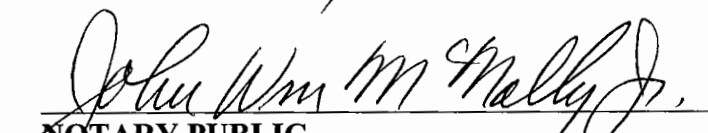
Now comes Rebecca Summers, and after being duly cautioned and sworn, hereby states
as follows:

1. I have first hand knowledge of the facts set forth in this Affidavit and am
competent to testify to the same.
2. If it had not been for the representations of Dave Richardson in April 2001, I
never would have ingested any alcoholic beverage in November of 2001 the
evening before reporting to work which caused my termination.

Further affiant sayeth naught.


REBECCA SUMMERS

Sworn to before me and subscribed in my presence this 4th day of December, 2003.


NOTARY PUBLIC

JOHN WM. McNAULY, Attorney at Law
NOTARY PUBLIC - STATE OF OHIO
My Commission has no expiration
date. Section 147.03 O.R.C.

CERTIFICATE OF SERVICE

I hereby certify that on December 4, 2003, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Patricia Anderson Pryor, Taft, Stettinius & Hollister, Attorney for Defendant Keebler Company, 425 Walnut Street, Suite 1800, Cincinnati, Ohio, 45202-3957, at pryor@taftlaw.com; Roger A. Weber, Taft, Stettinius & Hollister, Attorney for Defendant Keebler Company, 425 Walnut Street, Suite 1800, Cincinnati, Ohio, 45202-3957, at weber@taftlaw.com; and James B. Robinson, Kircher, Robinson & Welch, Attorney for Defendant Bakery, Confectionery & Tobacco Workers' and Grain Millers Local 253, 1014 Vine Street, Suite 2520, Cincinnati, Ohio, 45202, at kircher@fuse.net.

/s/ Mark J. Byrne

MARK J. BYRNE - #0029243

Attorney for Plaintiff